

Administrative Procedures – Final Proposed Rule Filing

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

**Administrative Rules for the Assessing of Professional
Credentials Obtained Outside the United States**

_____/s/James C. Condos_____, on 9/24/2021
(signature) (date)

Printed Name and Title:
James C. Condos, Secretary of State

RECEIVED BY: _____

- Coversheet
- Adopting Page
- Economic Impact Analysis
- Environmental Impact Analysis
- Strategy for Maximizing Public Input
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- ICAR Minutes
- Copy of Comments
- Responsiveness Summary

1. TITLE OF RULE FILING:

Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

21P-014

3. ADOPTING AGENCY:

Secretary of State, Office of Professional Regulation

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Lauren Layman

Agency: Office of Professional Regulation

Mailing Address: 89 Main Street; 3rd Floor; Montpelier, VT 05620

Telephone: 802 828 - 2883 Fax: 802 828 - 2465

E-Mail: lauren.layman@vermont.gov

Web URL(*WHERE THE RULE WILL BE POSTED*):

<https://sos.vermont.gov/opr/regulatory/reducing-barriers/new-americans/>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Agatha Kessler

Agency: Office of Professional Regulation

Mailing Address: 89 Main Street; 3rd Floor; Montpelier, VT 05620

Telephone: 802 828 - 5030 Fax: 802 828 - 2465

E-Mail: agatha.kessler@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

3 V.S.A. § 137

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

The statute, 3 V.S.A. § 137, charges the Director of the Office of Professional Regulation with adopting rules "to assess the equivalence of an applicant's professional credentials earned outside the United States as compared to State licensing requirements for those professions attached to the Office that do not have laws addressing the verification and recognition of such credentials." The statute further provides, "the Director may rely upon third-party credential verification services. The cost of such services shall be paid by the applicant." These rules fulfill this statutory directive through the use of third-party credential verification services. The rules require the applicant to bear the cost of obtaining an assessment and report from the credentialing verification services.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

The rules provide a process for an applicant, who pursued professional credentials outside of the United States, to obtain a determination regarding whether the

Final Proposed Coversheet

applicant's credentials fulfill the requirements for Vermont licensure in a profession. An applicant is required to get a report from a credential evaluation service that provides an assessment of the applicant's credentials. The Office of Professional Regulation will then use that report in determining whether the applicant is qualified for a professional license.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

The rules are necessary to provide a pathway to licensure for individuals who obtained professional credentials in a country outside of the United States. In a majority of professions, the Office of Professional Regulation is not equipped to evaluate education, supervision, work and other professional qualifications issued by the majority of countries other than the United States. Third-party credential verification services have the resources and expertise to provide this review and assessment. These rules provide a process of incorporating the credential verification services' reports into the Vermont professional licensure application process. In turn, applicants who obtained credentials in a country other than the United States will have a process for determining whether they meet the qualifications for professional licensure in Vermont and the public safety of Vermonters will remain protected by ensuring minimal professional licensure qualifications are fulfilled.

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

These rules will apply to all applicants who obtained professional credentials in a country other than the United States. The only exceptions will be for professions associated with the Office of Professional Regulation that already incorporate a process for verification and recognition of such credentials in the existing professional rules.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

New Americans, Vermonters, Department of Labor, Vermont businesses and employers

18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

Final Proposed Coversheet

These rules will have a positive economic impact. By facilitating access to professional licensure based on existing credentials, these rules enable applicants to gain employment in fields that use their skills and qualifications without requiring the applicant to obtain expensive new education or qualifications. The Vermont economy will be benefited by having these qualified and skilled individuals working in their chosen professional fields in our state.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 6/1/2021

Time: 10:00 AM

Street Address: Remote

Zip Code:

Date: 6/8/2021

Time: 02:00 PM

Street Address: Remote

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

6/18/2021

Final Proposed Coversheet

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

New Americans

Refugees

Immigration

Credential

Evaluation

Assessment

Verification



State of Vermont
Office of the Secretary of State

Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402
sos.vermont.gov

James C. Condos, Secretary of State
Christopher D. Winters, Deputy Secretary
S. Lauren Hibbert, Director

September 8, 2021

Hon. Senator Mark MacDonald, Chair and Members
Legislative Committee on Administrative Rules
c/o Charlene Dindo, Committee Assistant
Vermont State House
Montpelier, VT 05602

RE: Final Proposed Administrative Rules for Assessment of Professional Credentials Obtained
Outside the United States

Dear Chairperson MacDonald and Members:

Please find enclosed the final proposed *Administrative Rules for the Assessment of Professional Credentials Obtained Outside the United States* (“Rules”) and related documents. These materials have been filed in parallel with the Secretary of State, today.

The adoption of these Rules will mark a significant step toward ensuring access to professional licensing and jobs for all qualified individuals, regardless of where they obtained their professional credentials. The Office of Professional Regulation noticed and convened two public hearings on the Rules: on June 1, 2021 and June 8, 2021. The public hearings were well attended by individuals who had obtained their professional credentials in a country other than the United States and by representatives of the Credential Evaluation Services. The public comment period remained open until June 18, 2021. Comments received were unanimously supportive of the Rules with only one commenter seeking a technical correction to the abbreviation of the Credential Evaluation Service.

Accompanying this letter are:

- A. APA filing forms;
- B. The final proposed Rules;
- C. A markup showing changes from the proposed Rules filing;
- D. Written comments received;
- E. A summary of comments and agency responses; and

F. A copy of the ICAR minutes approving the proposed Rules with two amendments.

I would be happy to answer any questions the Committee may have about the proposed final rules in advance of your next meeting. Please feel free to contact me at (802) 828-2883 or via email at lauren.layman@vermont.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Layman", written in a cursive style.

Lauren K. Layman
Staff Attorney

Cc: Louise F. Corliss, APA Rules, Vermont Secretary of State (original documents)

Administrative Procedures – Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States

2. ADOPTING AGENCY:

Secretary of State, Office of Professional Regulation

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **A NEW RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: April 12, 2021, Microsoft Teams Virtual Meeting
Members Present: Chair Kristin Clouser, Dirk Anderson, Diane Bothfeld, Jennifer Mojo, John Kessler, Matt Langham, Diane Sherman and Clare O'Shaughnessy
Members Absent: Ashley Berliner
Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the March 8, 2021 meeting.
- Agenda was amended to remove the 'Biomass Renewable Energy Standard, Agency of Natural Resources, Department of Forests, Parks and Recreation' proposed rule. Agenda approved as drafted with noted change.
- Three Emergency Rules were supported by ICAR Chair Clouser:
 - On March 11, 2021, "Emergency Administrative Rule for Notaries Public and Remote Notarization" filed by the Office of Professional Regulation. This rule will renew the existing temporary emergency rule, which allows for remote notarization, through September 15, 2021.
 - On March 15, 2021, 'Hospital Licensing Rule' by the Agency of Human Services, Department of Health, which, during the state of emergency, allows hospitals that are otherwise licensed and approved by CMS to go through an approval process in Vermont without having to go through all the steps.
 - On April 2, 2021, 'Rule on Rulemaking', by the Office of the Secretary of State, which allows for the electronic filing of the APA required forms for rules for the next six months.
 - Question whether an emergency rule was necessary as they already have statutory authority.
- Member Kessler will reach out to the Office of the Secretary of State to share comments on the Proposed Rule Coversheet and Economic Impact Analysis for the potential benefit of clarifying the information being sought.
- No public comments made.
- Presentation of Proposed Rules on pages 2-3 to follow.
 1. Administrative Rules for Private Investigators and Security Guards, Secretary of State, Office of Professional Regulation, page 2.
 2. Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States, Secretary of State, Office of Professional Regulation, page 3.
- Committee discussion on the Public Input form, questions #3-5:
 - Questions would be more appropriate in the forms going to LCAR.
 - ICAR is seeking some level of specificity. Valuable information could include organizations that should be associated with topic and public engagement and outreach information.
 - Presenter can include recommendations from ICAR after the meeting.
- Next scheduled meeting is May 10, 2021 at 2:00 p.m.
- 3:08 p.m. meeting adjourned.

Proposed Rule: Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States, Secretary of State, Office of Professional Regulation

Presented By: Lauren Layman

Motion made to accept the rule by Diane Sherman, seconded by John Kessler, and passed unanimously with the following recommendations:

1. Economic Impact Analysis, #3: Include individuals seeking licensure based on foreign certification that will have to pay for that assessment. Include average cost if known. Add affected parties to include applicant.
2. Environmental Impact Analysis: Change 'N/A' to 'None'.
3. Public Input: Include outreach to Boards and list work being done to identify affected professions.
 - a. May choose to attach guidance document once finalized, which could also state what professions this applies to.
4. Adopting Page, #3: Correct, as this is not an amendment of an existing rule.
5. Proposed Rule, 1-2: Reword the first sentence.
6. Proposed Rule, 4: Subsections are formatted differently from the rest of the rule, therefore should be changed for consistency.

Administrative Procedures – Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn't appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

1. TITLE OF RULE FILING:

Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States

2. ADOPTING AGENCY:

Secretary of State, Office of Professional Regulation

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

Benefited: Employers of employees requiring state-issued licenses, refugees, immigrants, new Americans, individuals who obtained professional credentials in countries other than the United States, the Department of Labor

Economic Impact Analysis

The Office of Professional Regulation anticipates that these rules will benefit these individuals and organizations by facilitating access to professional licenses for qualified individuals.

Applicants who acquired professional credentials outside of the United States will need to pay a fee to obtain a report from a credential evaluation service. This fee varies depending on the credential evaluation service, from a minimum of \$30 (e.g., for a review of a 1-2 page transcript) up to \$500 for a complete review of multiple professional credentials and an accompanying report.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

None

5. ALTERNATIVES: *CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

None

6. IMPACT ON SMALL BUSINESSES:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

These rules may benefit small businesses by increasing the number of qualified applicants for employment.

7. SMALL BUSINESS COMPLIANCE: *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

None

8. COMPARISON:

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

Absent rules on this subject, individuals who obtain professional credentials in a country other than the United States often have difficulty participating in the profession for which they are qualified in the U.S.

Economic Impact Analysis

This results in fewer qualified individuals available to perform essential professional services and in barriers for qualified individuals to perform essential professional services. These rules do not impose any burdens for small businesses so alternative rules would not offer any reduced burdens.

9. **SUFFICIENCY:** *EXPLAIN THE SUFFICIENCY OF THIS ECONOMIC IMPACT ANALYSIS.*

This analysis is sufficient because it accounts for the benefits these rules will provide for the Vermont economy. The Office of Professional Regulation does not anticipate any costs to the economy from these rules.

Administrative Procedures – Environmental Impact Analysis

Instructions:

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
- Impacts on the discharge of pollutants to water
- Impacts on the arability of land
- Impacts on the climate
- Impacts on the flow of water
- Impacts on recreation
- Or other environmental impacts

1. TITLE OF RULE FILING:

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2. ADOPTING AGENCY:

Secretary of State, Office of Professional Regulation

3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*

None

4. WATER: *EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

None

5. LAND: *EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

None

6. RECREATION: *EXPLAIN HOW THE RULE IMPACT RECREATION IN THE STATE:*

None

Environmental Impact Analysis

7. CLIMATE: *EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

None

8. OTHER: *EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

None

9. SUFFICIENCY: *EXPLAIN THE SUFFICIENCY OF THIS ENVIRONMENTAL IMPACT ANALYSIS.*

These rules will not have an environmental impact.

Administrative Procedures – Public Input

Instructions:

In completing the public input statement, an agency describes the strategy prescribed by ICAR to maximize public input, what it did do, or will do to comply with that plan to maximize the involvement of the public in the development of the rule.

This form must accompany each filing made during the rulemaking process:

1. TITLE OF RULE FILING:

Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States

2. ADOPTING AGENCY:

Secretary of State, Office of Professional Regulation

3. PLEASE DESCRIBE THE STRATEGY PRESCRIBED BY ICAR TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE:

The Office of Professional Regulation will hold two public hearings on these rules. Additionally, the Office of Professional Regulation will share these rules with credential verification services and associations, as well as organizations supporting new Americans in Vermont, and engage in discussions about the rules, as requested. The Office of Professional Regulation is also sharing these Proposed Rules with professional boards associated with the Office that do not have existing rules for licensing individuals who obtained professional credentials outside of the United States.

4. PLEASE LIST THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:

Prior to filing the proposed rules, the Office spoke with two credential verification services and two organizations supporting new Americans in Vermont to inform them that these rules are being developed. The Office of Professional Regulation has since held two public hearings on these rules. Seven people attended

Public Input

the first public hearing and ten people attended the second public hearing. OPR developed a guidance document to inform the public about which professions would be subject to these Proposed Rules requiring a report from a credential evaluation service. OPR also spoke with the relevant professional boards and advisors regarding the proposal of these rules and opportunities for comments. Finally, OPR received eight comments from the public on the proposed rules.

5. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

U.S. Committee for Refugees and Immigrants Vermont
Secretary of State's Office

Community Economic Development Office

Central Vermont Refugee Action Network, Inc.

Migrant Justice

Somali Bantu Community Association of Vermont

Association of Africans Living in Vermont, Inc.

Champlain Valley Office of Economic Opportunity

National Association of Credential Evaluation Services

CGFNS International (credential verification service
for nurses and certain healthcare professionals)

Association of International Credential Evaluators,
Inc.

World Education Services

VT Department of Labor

Professional Boards associated with the Office of
Professional Regulation that are subject to these
Proposed Rules

From: [Johanna Daniels](#)
To: [SOS - OPR Comments](#)
Subject: Pursuant to 3 V.S.A. § 137 (2019)
Date: Thursday, May 27, 2021 11:41:27 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

I wanted to highlight and express my elation in seeing this proposal (3 V.S.A. § 137 (2019)) regarding the assessment of professional credentials obtained outside of the US. In my 25+ years of working with the population of new Americans, I have been appalled and disheartened over and over after hearing of the struggles and outright disregard of so many professionals once they arrived in the US. I fully support this proposal and trust a well-thought-out strategy will be implemented to support both the high standards of the US while still respecting the long-hard hours of training and experience put in by professionals from around the world.

Regards,
Johanna Shaw-Daniels M.Ed.
EL Teacher

--

Be present and trust Love.

*67 Jensen Rd
Williston, VT 05495
802-876-7635*

From: [Layman, Lauren](#)
To: [SOS - OPR Comments](#)
Subject: FW: Notice of Public Hearings on Proposed Rules for Assessment of Professional Credentials Obtained Outside the United States
Date: Thursday, May 27, 2021 1:51:51 PM
Attachments: [image008.png](#)
[image009.png](#)
Importance: High

OPR staff is working remotely due to COVID-19. Please note that the office is closed to the public.

Lauren K. Layman
Staff Attorney, Office of Professional Regulation
Vermont Secretary of State
89 Main Street, 3rd Floor
Montpelier, VT 05602
802/828-2883
sos.vermont.gov/opr/

From: Jasmin Saidi-Kuehnert <jasmin@acei-global.org>
Sent: Thursday, May 27, 2021 12:15 PM
To: Layman, Lauren <Lauren.Layman@vermont.gov>
Subject: RE: Notice of Public Hearings on Proposed Rules for Assessment of Professional Credentials Obtained Outside the United States
Importance: High

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Lauren,

Thank you for your invitation to the upcoming public meeting.

On behalf of the Association of International Credential Evaluators (AICE), one of the two professional associations listed on the Vermont Office of Professional Regulation "Proposed Rules," I would like to confirm that the following Endorsed Members of AICE and its Board of Directors will be attending the June 1st and 8th meetings.

- Alexander Agafonov, Globe Language Services, Inc – AICE Charter & Endorsed Member and Chair of AICE Board of Directors (June 8th)
- Hany Arafat, President, SDR Educational Consultants – AICE Endorsed Member (June 1st)
- Beth Cotter, President, Foreign Credential Evaluations, Inc. – AICE Endorsed Member (June 1st)

- Carolyn Christie, Vice-President – Foreign Credential Evaluations, Inc. – AICE Endorsed Member (June 1st)
- Dale Gough, Director, Foreign Credentials Service of America, Inc. – AICE Endorsed Member (June 1st)
- Aleks Morawski, Director of Evaluation Services, Scholaro, Inc. – AICE Endorsed Member (June 1st)
- Bill Paver, President, Foreign Credentials Service of America, Inc. – AICE Endorsed Member and AICE Board Treasurer (June 8th)
- Alex Popovski, President, Ucredo – AICE Endorsed Member (June 8th)
- Alan Saidi, Senior Vice President & COO, Academic Credentials Evaluation Institute, Inc. (ACEI) – AICE Charter & Endorsed Member (June 8th)
- Jasmin Saidi-Kuehnert, President & CEO, Academic Credentials Evaluation Institute, Inc. (ACEI) – AICE Charter & Endorsed Member and President of AICE Board (June 1st)

Is it possible to include the acronym AICE in parenthesis after the Association's name on page 2, section 4-1?

Thank you again and we look forward to attending the public meeting.

Sincerely,

Jasmin Saidi-Kuehnert
President & CEO



ACADEMIC CREDENTIALS EVALUATION INSTITUTE, INC.®

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Blog: www.acei-global.blog



Association of International
Credential Evaluators

Chair, International Education Standards Council
AACRARO

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From: [Layman, Lauren](#)
To: [SOS - OPR Comments](#)
Cc: [Gilman, Gabriel](#)
Subject: FW: Today's Public Hearing
Date: Tuesday, June 1, 2021 11:35:14 AM

OPR staff is working remotely due to COVID-19. Please note that the office is closed to the public.

Lauren K. Layman
Staff Attorney, Office of Professional Regulation
Vermont Secretary of State
89 Main Street, 3rd Floor
Montpelier, VT 05602
802/828-2883
sos.vermont.gov/opr/

From: Dale Gough <dale@foreigncredentials.org>
Sent: Tuesday, June 1, 2021 11:32 AM
To: Layman, Lauren <Lauren.Layman@vermont.gov>
Cc: Jasmin Saidi Kuehnert <jasmin@acei-global.org>; Aleks Morawski <morawski@scholaro.com>;
Martha Alvarez <aerc@verizon.net>
Subject: Today's Public Hearing

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Ms. Layman,
Thank you for today's Hearing.
The process for medical licensure is complicated and it might be helpful for those participating in next week's Hearing with some explanations and clarifications.

I took some notes as to what OPR might consider for the next one:

- Perhaps OPR could post a list of what they do license and what they do not.
- It would be useful if OPR could also do a step-by-step process for medical licensure. The comments made by the doctors seem to reflect a lack of understanding that there are other organizations in play.

--

| Dale Gough

Director

Foreign Credentials Service of America

e: dale@foreigncredentials.org | w: foreigncredentials.org

p: (410) 952-7858 f: (512) 459-4565

a: 1910 Justin Lane, Austin, TX 78757

From: [Rhoni Basden](#)
To: [SOS - OPR Comments](#)
Subject: VT Works for Women: Written testimony
Date: Friday, June 4, 2021 12:44:39 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

To Whom It May Concern,

As a representative of VT Works for Women, we support the measures and initiatives being proposed to aid in better structuring professional licensing and credentials received outside of the United States. As an organization that seeks to empower Vermonters through economic security, we understand how vital these credentials can be to career success and the many current barriers that exists for individuals attempting to continue in their professions, here in Vermont. With high labor demands and low available labor, ensuring these processes not only recruit residents to Vermont, but aid in supporting their career pathways is vital to building a strong and diverse community for all.

VT Works for Women is available for further comment or feedback on the proposed.

Thank you for your time,
Rhoni

Rhoni Basden
Executive Director
Vermont Works for Women
(802) 655-8900, ext. 101
Pronouns: she/her

Building Confidence • Teaching Skills • Changing Lives
Support VT women and girls: Come to [LUNAFEST at the Drive-In!](#)



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From: [Kenneth Warren](#)
To: [Layman, Lauren](#); [SOS - OPR Comments](#)
Subject: Follow up to the VT Proposed Administrative Rules meeting 6.8.21
Date: Tuesday, June 8, 2021 3:44:09 PM

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Dear Ms. Layman,

Thank you for the invitation to attend today's meeting and for the opportunity to speak. I attended the meeting in my capacity as Chairperson of NACES. As I mentioned in the meeting, the National Association of Credential Evaluation Services is a 501 (c)(6) organization that supports the work of foreign credential evaluation services. I would like to reiterate that NACES has published professional standards to which all of our members must adhere. NACES ensures that our members not only follow ethical practices in the assessment of non-US educational credentials, but also that they follow ethical business practices. Our professional standards are posted on our website here: <https://www.naces.org/standards>. I am bringing this to your attention in response to a comment made by another attendee, and to clarify the public record of the meeting, that NACES as an association, does have professional standards for membership.

Again, thank you for the opportunity to participate in your important decision-making process.

Sincerely,

Kenneth Warren
President
Educational Perspectives, nfp
PO Box A3462
Chicago IL 60690-3462

Chair, National Association of Credential Evaluation Services (NACES)

Telephone: 312-421-9300
Direct: 312-897-1205
Fax: 312-421-9353

www.edperspective.org



Educational Perspectives is a not-for-profit public service organization and a member of the National Association of Credential Evaluation Services (NACES)



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From: [Jacki Esposito](#)
To: [SOS - OPR Comments; Layman, Lauren](#)
Cc: [Fatima Sanz](#)
Subject: Public Comment/Rule Number 21P014 - Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States
Date: Thursday, June 17, 2021 10:27:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[World Education Services Public Comment Rule 21P014.pdf](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Lauren,

Please see attached public comment in support of Rule No. 21P014 from World Education Services.

If you have any questions or require further information, please do not hesitate to reach out.

Many thanks,
Jacki



Jacki Esposito
Director, U.S Policy and Advocacy
Director, IMPRINT
World Education Services
E jesposito@wes.org | T 347.417.2866 | W wes.org/gtb



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ATTN: Lauren Layman
Office of Professional Regulation, Office of the Secretary of State
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402

Subject: Public Comment for Rule Number 21P014 – Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States

To Whom It May Concern,

World Education Services (WES) applauds the efforts of Vermont’s Office of Professional Regulation to create pathways to licensure for internationally trained immigrants and refugees through the promulgation of rules entitled “Administrative Rules for Assessing Professional Credentials Obtained Outside of the United States.”

WES is a non-profit social enterprise dedicated to helping international students, immigrants, and refugees achieve their educational and career goals in the U.S. and Canada. For more than 45 years, WES has set the standard of excellence in the field of international academic credential evaluation. Through WES Global Talent Bridge, the organization joins with institutional partners, community-based organizations, and policymakers to help immigrants and refugees who hold international credentials fully utilize their talents and education to achieve their academic and professional goals. Its philanthropic arm, the WES Mariam Assefa Fund, supports catalytic leaders and organizations working to build inclusive economies and to ensure that immigrants and refugees can achieve their aspirations and thrive.

Building on the framework established in Act 10 of 2019, the rules being promulgated by the Office of Professional Regulation are vital to ensuring the utilization of the skills, talents, and education of internationally trained immigrants and refugees in Vermont. Although the state’s innovative use of Credential Evaluation Services (CES) will continue to evolve, these rules mark a significant step toward providing equitable workforce opportunities to the state’s internationally trained immigrant and refugee workers.

Nearly 50 percent of recent immigrants in the U.S. have a bachelor’s degree or higher.¹ Yet at least two million immigrants and refugees are either unemployed or underemployed, according to the Migration Policy Institute. These rules have the potential to attract immigrants and refugees to a state where their training and education will be fully recognized.

WES strongly supports the final promulgation of these important rules and commends the Office of Professional Regulation for its thoughtful and timely efforts to implement Act 10.

Sincerely,

Jacqueline Esposito
Director, U.S. Policy & Advocacy
World Education Services

¹ Batalova, Jeanne, and Michael Fix. “Leaving Money on the Table: The Persistence of Brain Waste Among College-Educated Immigrants.” Migrationpolicy.Org, 2021, <https://www.migrationpolicy.org/research/brain-waste-college-educated-immigrants>.

Final Proposed Administrative Rules for the Assessment of Professional Credentials Obtained
Outside the United States

SUMMARY OF COMMENTS AND AGENCY RESPONSE

Comment: The representative from the Association of International Credential Evaluators, Inc., one of the standards organizations selected to approve Credential Evaluation Services (“CES”) for use in the Vermont credential evaluation process, requested that the abbreviation “AICE” follow, in parentheses, the full name of the organization in Section 4-1 of the Rules.

Response: The Office accepted this change.

Comments: At the June 1, 2021 public hearing, three medical doctors educated outside the United States expressed frustration that they were unable to obtain a license to practice medicine in the United States.

Response: The Office sympathizes with the challenges these professionals are facing. Unfortunately, the Office does not have jurisdiction over the licensing of medical doctors and the proposed Rules do not apply to this profession. OPR referred the commenters to the Board of Medical Practice.

Comment: A director of a CES suggested that the Office, at the next public hearing, provide a list of professions that OPR does regulate to lessen confusion.

Response: The Office took this suggestion and opened the next public hearing with a list of the professions to which the proposed Rules would apply.

Comment: The Chairperson from NACES, one of the two CES standards organizations named in the proposed Rules, wrote to emphasize that the organization uses published standards to evaluate its members. This comment was in response to a comment made during a public hearing that seemed to imply that NACES did not have such standards for membership.

Response: The Office reviewed the membership standards for both of the CES standards organizations, NACES and AICE, named in the proposed Rules. Both organizations require a CES adhere to rigorous, comprehensive standards in order to be a member in the standards organization.

Comment: Three commenters wrote to express support for the proposed Rules and the purpose behind them.

Response: The Office thanked these commenters for their support.

Administrative Rules for Assessing Professional Credentials Obtained Outside of the United States

Part 1: Purpose

- 1-1 The Office is not equipped to determine whether professional qualifications (e.g., professional licenses, education, work experience and examinations) obtained in a country or jurisdiction other than the United States are equivalent to similar qualifications obtained in a United States jurisdiction.
- 1-2 There ~~exist~~ are independent, private credential evaluation services (CES) that specialize in evaluating professional qualifications obtained in a country or jurisdiction other than the United States, and in determining whether such qualifications are equivalent to state qualifications for professional licensure.
- 1-3 These Rules provide a process for applicants, who obtained qualifications for their profession in a country or jurisdiction other than the United States, to provide an evaluation and equivalency determination to the Office as part of their application for professional licensure in Vermont.

Part 2: Definitions and Clarification of Terms

- 2-1 **“Applicant”** means an individual applying for a professional license in Vermont in a profession attached to the Office that does not have laws addressing the verification and recognition of credentials obtained in a country or jurisdiction outside of the United States.
- 2-2 **“Director”** means the Director of the Vermont Office of Professional Regulation.
- 2-3 **“Office”** means the Vermont Office of Professional Regulation.
- 2-4 **“Credential Evaluation Service (CES)”** means a third-party entity that specializes in the review and evaluation of professional credentials, education, work experience, examinations and other professional qualifications earned in a country or jurisdiction other than United States, and that is capable of providing a determination regarding equivalency of those professional qualifications, as compared to Vermont qualification requirements for a license in the relevant profession.

2-5 "United States" for the purposes of these rules means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Part 3: Waiver or Variance

3-1 The Director will not grant routine waivers or variances from any provisions of these rules without amending the rules. See 3 V.S.A. § 845. Where, in extraordinary circumstances, application of a rule would result in manifest unfairness, an absurd result, unjustifiable inefficiency, or an outcome otherwise inimical to the public health, safety, and welfare, the Director may, upon written request of an interested party, grant a waiver with or without particular conditions and limitations, and record the action and justification in a written memorandum. This rule shall not be construed as creating any hearing right or cause of action.

Part 4: Procedures

4-1 Applicants, who acquired all or part of the qualifications for a profession for which they are seeking licensure in a country or jurisdiction other than the United States, shall have the qualifications obtained in a country or jurisdiction other than the United States evaluated by a CES that is a member of the National Association of Credential Evaluation Services (NACES) or of the Association of International Credential Evaluators, Inc. (AICE).

4-2 **Process**

- a) Applicants shall apply for and obtain from a CES one or both of the following, as applicable:
 - i. If educational qualifications for licensure in the relevant profession were obtained in a country or jurisdiction other than the United States, a detailed, course-by-course translation and evaluation report of foreign transcripts;
 - ii. If the applicant has obtained other qualifications for professional licensure in a country or jurisdiction other than the United States, including, but not limited to, a professional license, supervised practice or work experience hours, or professional competency examination passage, a determination

of equivalency of that qualification as compared to the qualification requirements for licensure in the relevant profession in Vermont.

- b) Applicants shall comply with the procedures required by the CES for obtaining a translation and evaluation report regarding educational equivalency or an equivalency determination for other licensure qualifications.
- c) The CES must send the education report and/or the determination of equivalency directly to the Office as part of the applicant's application for licensure in the relevant profession. Only original reports and equivalency determinations from a CES will be accepted by the Office as part of the applicant's application for licensure in the relevant profession in Vermont. No copies of reports or determinations of equivalence will be accepted from applicants.
- d) In addition to the report and all accompanying determinations of equivalency from the CES, applicants shall submit, as part of their application for a professional license, all other materials and documentation of qualifications required for a license in the relevant profession.

4-3 Cost

- a)** The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be in addition to and separate from the license application fee assessed by the Office in the relevant profession.
- b)** The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be paid by the applicant.

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Part 5: Effect of Third-Party, Credential-Evaluation Agency Determination Regarding Equivalency

5-1 Determination of Equivalence

- a) Upon a determination of equivalence of education or other qualifications from a CES, the Office shall accept the education or qualification obtained in a country or jurisdiction other than the United States as equivalent to and in substitution of the same education or qualification obtained in the United States.
- b) In addition to a determination of educational equivalence or qualifications equivalence from a CES, applicants shall pass the examinations required in relevant professional statutes and rules for licensure in that profession.

5-2 Determination of Non-Equivalence

- a) Upon a determination from a CES that an applicant's education or qualifications are not equivalent to the educational or qualification requirements required for licensure in the relevant profession in Vermont, OPR shall preliminarily deny the applicant's application for the relevant professional license.
- b) The provisions relating to preliminary denials of applications for licensure set forth in 3 V.S.A. § 129(e) shall apply to a license application that is preliminarily denied for nonequivalence under this section.

5-3 Determination of Partial Equivalence

- a) Upon a determination from a CES that an applicant's education and/or qualifications in a profession that were obtained in a country or jurisdiction other than the United States fulfill some, but not all, of the education and/or qualifications requirements for licensure in the relevant profession in Vermont, the CES shall submit to the Office a report detailing which Vermont education and/or qualifications for licensure in the relevant profession remain unfulfilled.
- b) Upon completion of the unfulfilled education and/or qualifications and submission of documentation of completion of the education and/or qualifications to the Office, the applicant may be eligible for licensure in the relevant profession.

5-4 The Director may verify the accuracy and sufficiency of a CES's report and determinations regarding equivalency. If the Director finds that a CES report or determination regarding equivalency is inaccurate or insufficient, the Director may

- a) Preliminarily deny the applicant's application for the relevant professional license in accordance with 3 V.S.A. § 129(e), or
- b) Take the steps necessary to address and remedy the insufficiency or inaccuracy of the report or determination regarding equivalency with the CES responsible for the report. The Director may preliminarily deny the applicant's application for the relevant profession license, in accordance with 3 V.S.A. § 129(e), should the insufficient or inaccurate report or determination regarding equivalency not be able to be remedied.

Administrative Rules for Assessing Professional Credentials Obtained Outside of the United States

Part 1: Purpose

- 1-1 The Office is not equipped to determine whether professional qualifications (e.g., professional licenses, education, work experience and examinations) obtained in a country or jurisdiction other than the United States are equivalent to similar qualifications obtained in a United States jurisdiction.
- 1-2 There are independent, private credential evaluation services (CES) that specialize in evaluating professional qualifications obtained in a country or jurisdiction other than the United States, and in determining whether such qualifications are equivalent to state qualifications for professional licensure.
- 1-3 These Rules provide a process for applicants, who obtained qualifications for their profession in a country or jurisdiction other than the United States, to provide an evaluation and equivalency determination to the Office as part of their application for professional licensure in Vermont.

Part 2: Definitions and Clarification of Terms

- 2-1 “**Applicant**” means an individual applying for a professional license in Vermont in a profession attached to the Office that does not have laws addressing the verification and recognition of credentials obtained in a country or jurisdiction outside of the United States.
- 2-2 “**Director**” means the Director of the Vermont Office of Professional Regulation.
- 2-3 “**Office**” means the Vermont Office of Professional Regulation.
- 2-4 “**Credential Evaluation Service (CES)**” means a third-party entity that specializes in the review and evaluation of professional credentials, education, work experience, examinations and other professional qualifications earned in a country or jurisdiction other than United States, and that is capable of providing a determination regarding equivalency of those professional qualifications, as compared to Vermont qualification requirements for a license in the relevant profession.

2-5 “United States” for the purposes of these rules means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Part 3: Waiver or Variance

3-1 The Director will not grant routine waivers or variances from any provisions of these rules without amending the rules. *See* 3 V.S.A. § 845. Where, in extraordinary circumstances, application of a rule would result in manifest unfairness, an absurd result, unjustifiable inefficiency, or an outcome otherwise inimical to the public health, safety, and welfare, the Director may, upon written request of an interested party, grant a waiver with or without particular conditions and limitations, and record the action and justification in a written memorandum. This rule shall not be construed as creating any hearing right or cause of action.

Part 4: Procedures

4-1 Applicants, who acquired all or part of the qualifications for a profession for which they are seeking licensure in a country or jurisdiction other than the United States, shall have the qualifications obtained in a country or jurisdiction other than the United States evaluated by a CES that is a member of the National Association of Credential Evaluation Services (NACES) or of the Association of International Credential Evaluators, Inc. (AICE).

4-2 Process

- a) Applicants shall apply for and obtain from a CES one or both of the following, as applicable:
 - i. If educational qualifications for licensure in the relevant profession were obtained in a country or jurisdiction other than the United States, a detailed, course-by-course translation and evaluation report of foreign transcripts;
 - ii. If the applicant has obtained other qualifications for professional licensure in a country or jurisdiction other than the United States, including, but not limited to, a professional license, supervised practice or work experience hours, or professional competency examination passage, a determination

of equivalency of that qualification as compared to the qualification requirements for licensure in the relevant profession in Vermont.

- b) Applicants shall comply with the procedures required by the CES for obtaining a translation and evaluation report regarding educational equivalency or an equivalency determination for other licensure qualifications.
- c) The CES must send the education report and/or the determination of equivalency directly to the Office as part of the applicant's application for licensure in the relevant profession. Only original reports and equivalency determinations from a CES will be accepted by the Office as part of the applicant's application for licensure in the relevant profession in Vermont. No copies of reports or determinations of equivalence will be accepted from applicants.
- d) In addition to the report and all accompanying determinations of equivalency from the CES, applicants shall submit, as part of their application for a professional license, all other materials and documentation of qualifications required for a license in the relevant profession.

4-3 Cost

- a) The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be in addition to and separate from the license application fee assessed by the Office in the relevant profession.
- b) The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be paid by the applicant.

Part 5: Effect of Third-Party, Credential-Evaluation Agency Determination Regarding Equivalency
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5-1 Determination of Equivalence

- a) Upon a determination of equivalence of education or other qualifications from a CES, the Office shall accept the education or qualification obtained in a country or jurisdiction other than the United States as equivalent to and in substitution of the same education or qualification obtained in the United States.
- b) In addition to a determination of educational equivalence or qualifications equivalence from a CES, applicants shall pass the examinations required in relevant professional statutes and rules for licensure in that profession.

5-2 Determination of Non-Equivalence

- a) Upon a determination from a CES that an applicant's education or qualifications are not equivalent to the educational or qualification requirements required for licensure in the relevant profession in Vermont, OPR shall preliminarily deny the applicant's application for the relevant professional license.
- b) The provisions relating to preliminary denials of applications for licensure set forth in 3 V.S.A. § 129(e) shall apply to a license application that is preliminarily denied for nonequivalence under this section.

5-3 Determination of Partial Equivalence

- a) Upon a determination from a CES that an applicant's education and/or qualifications in a profession that were obtained in a country or jurisdiction other than the United States fulfill some, but not all, of the education and/or qualifications requirements for licensure in the relevant profession in Vermont, the CES shall submit to the Office a report detailing which Vermont education and/or qualifications for licensure in the relevant profession remain unfulfilled.
- b) Upon completion of the unfulfilled education and/or qualifications and submission of documentation of completion of the education and/or qualifications to the Office, the applicant may be eligible for licensure in the relevant profession.

5-4 The Director may verify the accuracy and sufficiency of a CES's report and determinations regarding equivalency. If the Director finds that a CES report or determination regarding equivalency is inaccurate or insufficient, the Director may

- a) Preliminarily deny the applicant's application for the relevant professional license in accordance with 3 V.S.A. § 129(e), or
- b) Take the steps necessary to address and remedy the insufficiency or inaccuracy of the report or determination regarding equivalency with the CES responsible for the report. The Director may preliminarily deny the applicant's application for the relevant profession license, in accordance with 3 V.S.A. § 129(e), should the insufficient or inaccurate report or determination regarding equivalency not be able to be remedied.

The Vermont Statutes Online

Title 3 : Executive

Chapter 005 : Secretary Of State

Subchapter 003 : Professional Regulation

(Cite as: 3 V.S.A. § 137)

§ 137. Uniform process for foreign credential verification

(a) The Director shall adopt rules that prescribe a process for the Director to assess the equivalence of an applicant's professional credentials earned outside the United States as compared to State licensing requirements for those professions attached to the Office that do not have laws addressing the verification and recognition of such credentials.

(b) Any determination of equivalence by the Director under this section shall be recorded in the applicant's licensing file and shall be binding upon the relevant State board or regulatory program.

(c) In administering this section, the Director may rely upon third-party credential verification services. The cost of such services shall be paid by the applicant.

(d) The provisions relating to preliminary license denials set forth in subsection 129(e) of this subchapter shall apply to a license application that is preliminarily denied for nonequivalence under this section. (Added 2019, No. 10, § 1, eff. April 30, 2019.)



Proposed Rules Postings

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Deadline For Public Comment

Deadline: Jun 18, 2021

The deadline for public comment has expired. Contact the agency or primary contact person listed below for assistance.

Rule Details

Rule Number:	21P014
Title:	Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States.
Type:	Standard
Status:	Proposed
Agency:	Office of Professional Regulation, Office of the Secretary of State
Legal Authority:	3 V.S.A. § 137
Summary:	The rules provide a process for an applicant, who pursued professional credentials outside of the United States, to obtain a determination regarding

whether the applicant's credentials fulfill the requirements for Vermont licensure in a profession. An applicant is required to get a report from a credential evaluation service that provides an assessment of the applicant's credentials. The Office of Professional Regulation will then use that report in determining whether the applicant is qualified for a professional license.

Persons Affected:

New Americans, Vermonters, Department of Labor, Vermont businesses and employers.

Economic Impact:

These rules will have a positive economic impact. By facilitating access to professional licensure based on existing credentials, these rules enable applicants to gain employment in fields that use their skills and qualifications without requiring the applicant to obtain expensive new education or qualifications. The Vermont economy will be benefited by having these qualified and skilled individuals working in their chosen professional fields in our state.

Posting date:

Apr 28,2021

Hearing Information

Information for Hearing # 1

Hearing date:

06-01-2021 10:00 AM  

Location:

Virtual Hearing via Microsoft Teams ID:
612661568#

Address:

Call in (audio only) +1 802 828 7667 Conference ID:
612 661 568#

City:

n/a

State:

VT

Zip:

n/a

Hearing Notes:

Information for the remote hearings is listed below and is also available on our public calendar at:
<https://sos.vermont.gov/opr-event-calendar/>

Information for Hearing # 2

Hearing date:

06-08-2021 2:00 PM  

Location:

Virtual Hearing via Microsoft Teams ID:
612661568#

Address:

Call in (audio only) +1 802 828 7667 Conference ID:
612 661 568#

City:

n/a

State:

VT

Zip: n/a

Hearing Notes: Information for the remote hearings is listed below and is also available on our public calendar at: <https://sos.vermont.gov/opr-event-calendar/>

Contact Information

Information for Primary Contact

PRIMARY CONTACT PERSON - A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE.

Level: Primary

Name: Lauren Layman

Agency: Office of Professional Regulation, Office of the Secretary of State

Address: 89 Main Street, 3rd Floor

City: Montpelier

State: VT

Zip: 05620-3602

Telephone: 802-828-2883

Fax: 802-828-2465

Email: lauren.layman@vermont.gov

Website: <https://sos.vermont.gov/opr/regulatory/reducing-barriers/new-americans>

Address: <https://sos.vermont.gov/opr/regulatory/reducing-barriers/new-americans>

Keyword Information

Keywords:

- New Americans
- Refugees
- Immigration
- Credential
- Evaluation
- Assessment
- Verification

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VERMONT STATE ARCHIVES & RECORDS ADMINISTRATION (VSARA)
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	The Islander (islander@vermontislander.com)	Tel: 802-372-5600 FAX: 802-372-3025
	Vermont Lawyer (hunter_press.vermont@gmail.com)	Attn: Will Hunter

FROM: APA Coordinator, VSARA

Date of Fax: October 1, 2021

RE: The "Proposed State Rules " ad copy to run on

May 6, 2021

PAGES INCLUDING THIS COVER MEMO:

2

***NOTE* 8-pt font in body. 12-pt font max. for headings - single space body. Please include dashed lines where they appear in ad copy. Otherwise minimize the use of white space. Exceptions require written approval.**

If you have questions, or if the printing schedule of your paper is disrupted by holiday etc. please contact VSARA at 802-828-3700, or E-Mail sos.statutoryfilings@vermont.gov, Thanks.

PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/> . The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

Reportable and Communicable Diseases Emergency Rule.

Vermont Proposed Rule: 21E06

AGENCY: Agency of Human Services, Department of Health

CONCISE SUMMARY: The purpose of this rule is to protect the public health through the reporting of communicable diseases and other diseases dangerous to public health. Through this rulemaking, the Department adds COVID-19 to the list of reportable diseases, clarifies how diseases are to be reported to the Department and by whom, and requires demographic information be reported to the Department.

FOR FURTHER INFORMATION, CONTACT: David Englander, Department of Health, 108 Cherry Street, Burlington, VT 05401 Tel: 802-863-7280 Fax: 802-951-1275 Email: ahs.vdhrules@vermont.gov URL: <http://www.healthvermont.gov/about-us/laws-regulations/public-comment>.

FOR COPIES: Brendan Atwood, Department of Health, 108 Cherry Street, Burlington, VT 05401 Tel: 802-863-7280 Fax: 802-951-1275 Email: ahs.vdhrules@vermont.gov.

Administrative Rules for the Assessing of Professional Credentials Obtained Outside the United States.

Vermont Proposed Rule: 21P014

AGENCY: Secretary of State, Office of Professional Regulation

CONCISE SUMMARY: The rules provide a process for an applicant, who pursued professional credentials outside of the United States, to obtain a determination regarding whether the applicant's credentials fulfill the requirements for Vermont licensure in a profession. An applicant is required to get a report from a credential evaluation service that provides an assessment of the applicant's credentials. The Office of Professional Regulation will then use that report in determining whether the applicant is qualified for a professional license.

FOR FURTHER INFORMATION, CONTACT: Lauren Layman, Office of Professional Regulation, 89 Main Street; 3rd Floor; Montpelier, VT 05620 Tel: 802-828-2883 Fax: 802-828-2465 Email: lauren.layman@vermont.gov URL: <https://sos.vermont.gov/opr/regulatory/reducing-barriers/new-americans>.

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